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FEDERAL OFFICE OF PRISONS

Committees on the Federal Office of Prisons—Aims.—The object of the committee of the National Committee on Prison Labor on the Federal Office of Prisons is to conduct a campaign for the establishment of an office under the federal government which shall have control over all federal prisoners and power of inspection over penal institutions, in which they may be confined; and which shall also act as a bureau to make available to local penal authorities the results of the best scientific research in penal and co-ordinate fields. The chairman of this committee is James Gordon Battle, Esq., of New York city.

This Federal Office of Prisons should be established under the Department of the Interior. The federal prisons are at present under the control of the Department of Justice, final authority resting in the attorney-general. Under special instructions from Congress the secretary of the interior has, from time to time, acted in conjunction with the attorney-general in the selection of prison sites and has even had control over the erection of certain prison buildings. Moreover, the warden of the penitentiary for the District of Columbia reports officially to the secretary of the interior. It would seem advisable that all control over federal prisons and prisoners should be centered in one office with responsibility therefor definitely fixed.

The establishment of this office would make it possible to draw into the movement for penal reform many of the agencies under the control of the Department of the Interior, the Department of Agriculture, the Office of Roads and other departments and divisions thereof carrying on outdoor public work.

The development of penal farm colonies must have the support of the Department of Agriculture; the development of the convict road camp must have the aid of the Office of Public Roads; and, various kinds of outdoor work under the Department of the Interior, the great public works, whether irrigation or highways, must afford opportunity for development in connection with the penal system. Federal aid, restricted we shall hope by all possible safeguards, will find in the newly developing convict system a method of double helpfulness in that the opportunities presented for convict labor will make imperative a more scientific and more definitely organized local state department to handle and be responsible for the development of public works. This is true whether the federal aid be given for highway construction, the preservation of forest reserves or the upbuilding of industrial institutions.

Furthermore, from the national government, city, county or state officials should be able to secure information and recommendations as to the most approved methods of developing a penal system, while from the great training school which the government is conducting, experts should be called upon to aid with their knowledge of scientific engineering.

The Office of Prisons would parallel the Children's Bureau, established in 1911, which is under the Department of the Interior. This bureau investigates and reports upon the welfare of children and child life and especially investigates the questions of infant mortality, the birth rate, physical degeneracy, orphanage, juvenile delinquency, and juvenile courts, desertion and illegitimacy, dangerous occupations, accidents and diseases of children of the working classes, employment, legislation effecting children in the several states and territories, etc.

The Federal Office of Prisons would have similar power as to investigation but would have an even wider field in its control over the United States prisons and prisoners.

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Mr. George Gordon Battle, chairman of the Committee on Federal Office of Prisons of the National Committee on Prison Labor in an address before a conference of the National Committee on Prison Labor on May 5, 1914, said in part:

"I have been asked to appear here and say something on a subject that is very near my heart, one that is of very great importance, and that is the proposed formation of a department or board in Washington to be known as the Federal Office of Prisons, that is to say, an office, a department or a board, to be inaugurated in one of the great departments of state in Washington—preferably in the Department of the Interior, to be called the Federal Office of Prisons and to have charge of and jurisdiction over the federal prisons. This I consider, most essential and most important.

"In the first place, there is abroad now a very general and most acute interest in all this subject of the treatment of prisoners, and in all matters relating to penology, and as to what we shall do with our criminal class, men and women, who, for the most part, are no more criminal than you and I. Certainly there is such a class, but it is found only occasionally. As a rule, these men and women are neither much better nor worse than the average of humanity.

"For a long time, for many centuries, the principal object of penal law was to punish. It was a savage law, intended to punish, and injure and destroy, and to keep people from committing crime by threatening them. There was no idea of reform; no idea of influence or example in the administration of the penal law up to within a century ago. Oglethorpe was perhaps the first of the great English reformers. You all know who he was—the founder of Georgia. He was one of the earliest pioneers to have any enlightened ideas on the subject of the management of prisons—but the heaven he applied worked very slowly and there was very little change in prison administration until about twenty-five years ago. Our prisons have been, and some of them still are, unspeakable sinks of iniquity and cruelty. Men are made worse by them. They manufacture criminals. If a man or woman is put into one of them in a state of innocence—they come out stained; they are failures. It is manifested that as soon as an intelligent public opinion is focused on such conditions the public will, as soon as they appreciate the condition, demand a change. This awakening is apparent all over the country. The present treatment of criminals is not only wicked but inadequate. There are very many plans and schemes on foot (many of them already progressed to a considerable extent and many more on the threshold of accomplishment) by which it is hoped to treat a convicted man as a human being, not as a beast to be caged in a house of stone and permitted to contract diseases of every kind, but to treat him as a human being, with the rights of a human being, with still a soul and mind and body worthy of human treatment. In order to carry out that plan and idea in connection with federal prisons, the National Committee on Prison Labor has come to the conclusion that the best manner to go about is to create a Federal Office of Prisons. As the law now stands the federal prisons in which men and women are confined for violating the Federal laws are governed and administered under the legislative power of laws passed at different times, with the result that there is no system. They are, for the most part, under the care and jurisdiction of the Department of Justice, with the attorney-general as the head, though in some instances they come under the jurisdiction of the Department of the Interior. Until about 1891, the federal prisoners were largely con-

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fined in local state prisons—for instance, we had in New York, previous to 1891, federal prisoners confined in our state prison. At that time a law was passed creating three distinct federal prisons. These are still in existence. One of them is at Atlanta, Ga., where prisoners from this district and the east, generally, are sent. The second prison is at Fort Leavenworth, Kansas, and the third at Walla Walla, Washington, so that these three prisons, as you will see, extend territorially as it were all over the country. There is no general or intelligent system of laws by which these prisons are managed. They are under the general care and supervision of the attorney-general and his staff, but only in an incidental way. The Department of Justice is very much overworked at the present time. Under our present system, by which the attorney-general is the head of the law department, with the duty of managing and controlling our great corporations, you can well imagine that his time is very much occupied and to such an extent that he cannot attend to the proper management of the federal prisons and so this management is given over to the hands of subordinates. It is proposed, if it can be accomplished, to have enacted at the next session of legislature a law to change this condition; to establish a federal office or bureau of prisons, not in the Department of Justice, but in the Department of the Interior. This should provide for the management of these prisons along liberal, progressive, enlightened and humane lines; provide for a proper parole system; for a farm system instead of the system which has existed of locking men up in living tombs for years; to give the prisoners light and air. It is hoped, by these laws, to provide for a humane system of parole by which men will receive as a reward for good conduct a shortening of their terms of imprisonment; also to provide for the farm system, to get the men out into the open air on state farms; to provide for laws in short which will carry out, as far as possible, the modern ideas as to the treatment of criminals. We all know that the most difficult thing in the world to reform is an institution without any head, and that is the difficulty with the federal prisons now. They are managed as an incident to the Department of Justice. As a result, the responsibility is scattered amongst subordinates. If the Federal Office of Prisons is established with a responsible officer at the head, we will be able to introduce into the federal prisons of this country these modern ideas which the people of the country are determined to see as soon as possible introduced into all the prisons of the country. There is another reason why this is important at the present time, and that is the tremendous extension in the scope of the federal laws. Up to a few years ago there were comparatively but few statutes under which men were convicted by federal prosecution. Here and there a petty official in the postal department was convicted for stealing stamps; then there were the pension frauds, and a few other offenses, but with the advance of the modern theory of general governmental supervision all this has been greatly extended. We have the Pure Food Law, a wise and good law, under which there have been many prosecutions and convictions—and I hope there will be more of such convictions. This is a law that should be enforced, and there are many other federal penal laws. The result is that there is a vastly greater number of federal prisoners and therefore it is important that these prisoners should be humanely and intelligently dealt with, and the best way to accomplish that is by the establishment of this Federal Office of Prisons in Washington and by one comprehensive system of law put the whole body of administration of the federal prisons on an intelligent and humane basis. I

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know of nothing that is more important than this. Mr. Osborne by his, I might almost say sublime experiment, has focused the attention of the whole country on this subject—people all over the country are awakening to interest in it and there is no branch of the subject more important than the administration of the federal prisons, for there is no abuse more easily remedied. It is all under one Congress. If we effect legislation at Washington creating and instituting this Federal Office of Prisons we shall have taken a very long step toward the era of humane and Christian treatment of criminals.”

J. D. SEARS,

Assistant Secretary of the National Committee on Prison Labor, N. Y. city.

The American Prison Association also has a Committee on Federal Office of Prisons which is charged with the duty to confer with President Wilson on the subject of the establishment of a federal office. The personnel of this committee is as follows: Prof. Charles R. Henderson, University of Chicago, chairman; Frank L. Randall, chairman, Massachusetts Prison Commission; H. Wolfer, warden, State Penitentiary, Stillwater, Minn.; W. H. Moyer, warden, Federal Prison, Atlanta, Ga.; J. P. Byers, secretary, American Prison Association.

R. H. G.

Drastic Prison Reform Urged in New York.—A new turn has been given to the movement to abolish Sing Sing Prison, New York's antiquated mausoleum on the Hudson. The State Commission on Prison Reform, of which Thomas Mott Osborne is chairman, has recommended to Governor Glynn that the place be converted into a receiving station for the observation and study of all persons sentenced to a state prison, for the medical examination and treatment of those afflicted with disease and for weeding out those found to be mentally defective.

Among other recommendations in the report of the commission, made public last week, is one that a Court of Rehabilitation be established, and indeterminate sentences given all persons sent to state prisons, in order that the reformation of law-breakers may be determined as accurately as their guilt.

In urging the abolition of Sing Sing, the commission calls attention to the “incredible fact” that public opinion has for over half a century been aware of the barbarity of confining human beings in the cells there and yet has let the institution remain—“a disgrace to a civilized community.” The commission calls strongly for the erection of a new prison to take the place of Sing Sing. The new prison, it declares, should have a site of 2,000 acres, consisting of forest and arable lands, and should not be more than 100 miles from New York city.

With reference to converting Sing Sing into a receiving station the commission says it contemplates the establishment of a hospital and neurological institute as well as a place of detention and observation. This will require, it points out, the services of a staff of genuine experts, physicians and officials of special training, broad sympathies and knowledge of human nature. The cell block will not be needed for this purpose and should be abandoned.

In urging sentences without maximum or minimum limit for all persons sentenced to state prisons, the commission declares that “the unequal sentences imposed by different judges for the same offense, or even by the same judge at different times, is little short of scandal in the administration of our criminal justice, and creates in those discriminated against a ranking sense of the injustice and inequality of the law.”